

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

IN RE: PORK ANTITRUST LITIGATION

Case No. 0:18-cv-01776-JRT-JFD

This Document Relates To:

ALL ACTIONS BROUGHT BY  
COMMERCIAL AND INSTITUTIONAL  
INDIRECT PURCHASER PLAINTIFF  
CLASS, CONSUMER INDIRECT  
PURCHASER PLAINTIFF CLASS, AND  
THE COMMONWEALTH OF PUERTO  
RICO

**[PROPOSED] ORDER GRATING  
DEFENDANT SEABOARD  
FOODS LLC'S UNOPPOSED  
MOTION FOR LEAVE TO FILE  
AMENDED ANSWERS TO  
CIIPP, CIPP, AND PUERTO  
RICO COMPLAINTS**

Defendant Seaboard Foods LLC's Unopposed Motion for Leave to Amend to File Amended Answers to CIIPP, CIPP, and Puerto Rico Complaints (the "Motion") came on for hearing before the undersigned. Based upon all the files, records, and proceedings herein, **IT IS HEREBY ORDERED:**

1. Defendant's Motion is **GRANTED**.
2. Defendant may add the following affirmative defense to its answers to the complaints of the Commercial and Institutional Indirect Purchaser Plaintiff Class, Consumer Indirect Purchaser Plaintiff Class, and the Commonwealth of Puerto Rico: "Plaintiff's [Plaintiffs'] claims are barred, in whole or in part, to the extent Plaintiff[s] seek[s] to impose liability on Seaboard based on the exercise of any person or entity's right to petition federal, state, and local legislative bodies,

because such conduct was immune under the *Noerr-Pennington* doctrine and privileged under the First Amendment to the U.S. Constitution.”

Dated: \_\_\_\_\_, 2023

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Honorable John F. Docherty  
United States Magistrate Judge